

MINUTES
PLANNING COMMISSION MEETING

A regular meeting held at the La Quinta City Hall
78-495 Calle Tampico, La Quinta, CA

September 11, 2012

7:02 p.m.

I. CALL TO ORDER

A. A regular meeting of the La Quinta Planning Commission was called to order at 7:02 p.m. by Chairwoman Barrows.

PRESENT: Commissioners Alderson, Weber, Wilkinson, Wright and Chairwoman Barrows.

ABSENT: None.

STAFF PRESENT: Planning Director Les Johnson, City Attorney Kathy Jenson, Principal Engineer Ed Wimmer Planning Manager David Sawyer, Principal Planner Andrew Mogensen, Assistant Planner Eric Ceja and Executive Secretary Carolyn Walker.

II. PUBLIC COMMENT: None

III. CONFIRMATION OF THE AGENDA: Confirmed

IV. CONSENT CALENDAR:

There being no comments, or suggestions, it was moved by Commissioners Alderson/Wilkinson to approve the minutes of July 24, 2012, as submitted. Unanimously approved.

V. PUBLIC HEARINGS:

A. General Plan Amendment 2010-121, and Environmental Assessment 2012-622: a request by the City of La Quinta to consider a recommendation to the City Council Regarding the Following; Certification of an Environmental Impact Report (SCH#2010111094), Approval of the Greenhouse Gas Inventory and Reduction Plan, and Adoption of the General Plan Update for use City-wide.

Principal Planner Andrew Mogensen presented the staff report, a copy of which is on file in the Planning Department. He then introduced Nicole Criste of Terra Nova Planning and Research, the lead consultant on the project who provided further information on the Circulation Element.

Chairwoman Barrows asked if there were any questions of staff.

Commissioner Wilkinson commented on:

- Population calculations
- The minimum of one acre lots for low density and equestrian areas
- Traffic circles, their costs, fuel efficiency and safety

Principal Engineer Wimmer expanded upon the value of roundabouts and if they could not be utilized in a certain location then a traffic signal would be considered.

General discussion followed regarding lifestyle and healthy living comments.

Commissioner Alderson commented on:

- The safety element of roundabouts
- The location of the roundabouts currently constructed

Commissioner Wright commented on:

- Mixed use as a large part of the plan and its effects on the City
- Roundabouts being a good idea but should probably be looked at individually

Commissioner Weber commented on:

- How the traffic element addresses the southern La Quinta areas
- A more detailed explanation of the Harrison Street eight-lane versus four-lane debate
- La Quinta's interaction with neighboring communities on the traffic element

- Potential impact of various streets; i.e., Madison Street, Avenue 60 and Avenue 62
- Potential impact of the traffic element on the Travertine Specific Plan
- Letter from the Agua Caliente Band

Ms. Criste explained the process for the traffic modeling as well as responding to Commissioner Weber's comments. She also pointed out there was one correction for a model in the EIR that was not accurately reflected in the exhibit; regarding Harrison Street currently being proposed by the County as an eight-lane roadway to handle East Valley traffic. She went into detail on the City of Coachella's General Plan and the letter from Endo Engineering.

General discussion followed regarding:

- Traffic volume and projections reflective of the land use designations
- Madison street model peak hour trip volume
- Avenues 60, 62 and Jefferson Street future traffic projection

Chairwoman Barrows commented on:

- The clarification of whether the air quality was mitigatable and SCAQMD's comment on mitigation of air quality
- Stating that City is doing everything possible to reduce impacts on air quality
- AQMD proposed air quality measures and the City's efforts to address them

Ms. Criste explained the types of air quality analysis and why each was utilized, as well as conclusions in the staff report and EIR. She further discussed future emission reductions and directed the Commissioners to the Greenhouse Gas Reduction Plan.

General discussion followed on:

- Mitigation of potential impacts and proposed development
- Improvements in technology and reduction of emissions
- The Greenhouse Gas Reduction Plan

There being no applicant, as this is a City project, Chairwoman Barrows asked if there was any public comment.

Mr. Ulrich Sauerbrey, 74-948 Live Oak, Indian Wells, representing Travertine Corporation, introduced himself and read a statement which covered:

- Background on his work with the Travertine project
- The submittal of a revised specific plan for the project
- The engineering challenges and analysis of the infrastructure to serve that area
- Two roads, on the former Specific Plan, versus three on the General Plan
- The applicant's views on access and circulation being shared with staff and the suggestion of waiting for submittal of their specific plan to address these issues
- Advising the Commission that Travertine is actively studying these matters and are engaged with the City, Riverside Fire and other agency staff to evaluate and resolve the challenges of their property.

General comments, from Mr. Sauerbrey, included:

- The two streets previously mentioned; including the Jefferson to Avenue 62 connection
- General description of the previous specific plan
- Current status of the project
- Hydrology challenges
- Ingress/Egress
- Submittal of written comments to staff
- Reference to an e-mail and response noting a policy, identified in the Circulation Element, allowing for some modifications to be considered by the Public Works Director
- Staff's participation in the background and review of this project
- Requirements for future changes in the General Plan documents

City Attorney Jenson made a point of clarification on comments made, at this meeting, by Mr. Sauerbrey and the public. She stated they would not be included in the Final EIR as the comment period had already closed. The comments could be responded to in staff reports.

Mrs. Neeta Quinn – 78-440 Via Sevilla, introduced herself and referred to her letter (in the Commission packet) and asked if the Commissioners had received a copy of her response.

Planning Director Johnson stated there were two letters received from residents to which staff responded and were distributed electronically, several hours before the meeting. He then distributed copies of Mrs. Quinn's response to the Commissioners.

Mrs. Quinn said she received the response at 5:06 p.m. and did not have adequate time to research and prepare a thorough response. She then commented on her concerns of some of the items in the e-mail:

- Opposition to the General Plan and concern with the Sustainable Community section
- She read the statement that "the Sustainable Community Element is not a State-mandated element, but is an element that La Quinta believes is important"
- She stated she was concerned with its inclusion and reference to the United Nations Agenda 21 and the definition of sustainability from their report of the World Commission on Environment and Development
- She asked whose decision was it to have this become a part of the General Plan as the sustainable community element was part of Agenda 21. She read several statements from the United Nations Agenda 21 document
- She commented on who had adopted Agenda 21
- She read portions of the United Nations Biodiversity Assessment Report and referenced comments on Page 143 of the Sustainability Community Element
- She requested the decision be tabled to allow time for the City to learn about the history of sustainability, where it came from and its association to the United Nations Agenda 21
- She pointed out that Temecula and Rancho Cucamonga had opted out
- She was concerned about government intrusion
- She noted there was a flyer included in her letter and she would be distributing it throughout the community
- She said she would be addressing the Concerned Citizens of La Quinta meeting on September 17, 2012 and the City Council on September 18, 2012.

Commissioner Barrows thanked Mrs. Quinn for her comments and said she had never heard of Agenda 21. However, she said what the City was trying to do was make this a more livable community, as well as manage our resources in an intelligent, efficient and cost-effective and economically viable way. She added that approach made sense for the community and had nothing to do with what the United Nations was doing. It was to make La Quinta a better community.

There being no further public comment, Chairwoman Barrows closed the public hearing portion of the meeting and opened the matter for Commission discussion.

General discussion followed on:

- Concerns of the Planning Commission and Council having to follow government regulations in California
- Having a plan for the future
- Planning for the basic needs for the community
- Education of the public and participation in the updating of the General Plan.
- Equestrian areas
- Air quality

There being no further questions or discussion, it was moved and seconded by Commissioners Alderson/Wilkinson to adopt Resolution 2012-015 recommending approval of General Plan Amendment 2010-121, and Environmental Assessment 2012-622 as submitted. Unanimously approved.

- B. Village Use Permit 2012-046: a request by Michel Despras – Lavender Bistro – for consideration of a Village Use Permit for the expansion of an existing storage building at Lavender Bistro, located at 78-073 Calle Barcelona.

Assistant Planner Eric Ceja presented the staff report, a copy of which is on file in the Planning Department.

Chairwoman Barrows asked if there were any questions of staff.

Commissioner Alderson commented on:

- Any concerns from neighbors.
- Addition possibly effecting parking

Staff responded there were no responses from the neighbors and the addition had no effect on the parking requirements.

There being no further questions of staff, Chairwoman Barrows asked if there were any questions of the applicant.

Mr. Michel Despras, 78-073 Calle Barcelona, introduced himself and said most of the addition was for storage and should have no impact on parking. He then explained why the addition was needed.

General discussion followed on:

- Landscaping update and additions
- The roofline and transition
- Compatibility to the current building

Chairwoman Barrows asked the applicant if he was satisfied with the Conditions of Approval.

Mr. Despras said he was.

There being no further questions of the applicant, Chairwoman Barrows asked if there was any public comment.

There being none, Chairwoman Barrows closed the public hearing portion of the meeting and opened the matter for Commission discussion.

There being no further questions or discussion, it was moved and seconded by Commissioners Weber/Wright to adopt Resolution 2012-016 recommending approval of Village Use Permit 2012-046 as submitted. Unanimously approved.

- C. Conditional Use Permit 2012-144: a request by LMLQ Properties, LLC for consideration of an Amendment to a Conditional Use Permit to expand restaurant operations and additional seating at the restaurant

located at 47-474 Caleo Bay Drive – northeast corner of Washington Street and Lake La Quinta Drive.

Assistant Planner Eric Ceja presented the staff report, a copy of which is on file in the Planning Department.

Chairwoman Barrows asked if there were any questions of staff.

Commissioner Weber commented on:

- Hours of operation and evening restrictions
- The parking agreement
- Outdoor dining

Commissioner Wilkinson commented on:

- Distance to the nearest residents.

Commissioner Alderson commented on:

- Location of additional parking
- Pedestrian crosswalks and the possible risk of crossing at night
- Any comments from the neighbors

Staff responded there were no comments from the neighboring residents.

There being no further questions of staff, Chairwoman Barrows asked if there were any questions of the applicant.

Mr. Lee Morcus, owner, 47-474 Washington Street, introduced himself, expressed his pleasure in working with City staff, and commented on the improvement of the building. He explained the type of restaurant this was intended to be; primarily dinner but he would like the flexibility of serving lunch if the market demanded it. He explained the Parking Agreement and stated it was planned to be for staff first and valet second; with female staff being escorted at night. He preferred the guests to be parking closest to the restaurant and not across the street.

General discussion followed on:

- The use of the outdoor patio
- The restaurant name
- Landscaping improvements
- Exterior improvements

Commissioner Wright reiterated the concerns about the safety of crossing to the additional parking.

Planning Director Johnson responded by explaining the low volume of traffic and the criteria for establishment of crosswalks.

Mr. Morcus stated they were considering constructing a small walkway that extended from their parking lot down towards a handicap ramp; which was proposed to go right on to Lake La Quinta Drive (in 2002). They plan to put a small walkway from that ramp to the La Quinta Medical Center property. He will then ask his employees to use the walkway to free up the nearby restaurant parking area.

Staff responded they had not seen a plan for the walkway, but the applicant could certainly address this with the Public Works staff.

There being no further questions of the applicant, Chairwoman Barrows asked if there was any public comment.

There being no public comment, Chairwoman Barrows closed the public hearing portion of the meeting and opened the matter for Commission discussion.

There being no further questions or discussion, it was moved and seconded by Commissioners Wilkinson/Weber to adopt Resolution 2012-017 recommending approval of Conditional Use Permit 2012-144 as submitted with the recommendation that the applicant work with staff to address any issues on a mid-block crossing to the adjacent parking area. Unanimously approved.

- D. Conditional Use Permit 2012-142: a request by Crown Castle – Susan Makinson - for consideration of a Conditional Use Permit for a Single-Pole Distributed Antenna System (DAS) at the southeast corner of the Jefferson Street and Avenue 52 Roundabout.

Assistant Planner Eric Ceja presented the staff report, a copy of which is on file in the Planning Department.

Chairwoman Barrows asked if there were any questions of staff.

Commissioner Weber asked about the prioritization for co-location on existing poles.

Staff explained about the telecommunications ordinance update and how it affected this application.

There being no further questions of staff, Chairwoman Barrows asked if there were any questions of the applicant.

Susan Makinson, representative of Crown Castle, 5350 N. 48th Street, Ste. 308, Chandler, AZ 85226 introduced herself and said staff originally directed them to look for existing verticality and in this location they found several options which were presented in the report. She then offered to answer any questions.

General discussion followed on:

- Replacement of the current street light and light levels.
- Replacement of the street light pole.

Commissioner Barrows asked the applicant if they had any problems with the Conditions of Approval and the applicant responded they did not.

There being no further questions of the applicant, Chairwoman Barrows asked if there was any public comment.

Shaina Rider – 52205 Desert Spoon Court, in Codorniz – had a question as to why they picked the developed corner as it would have been better, from an aesthetic point of view, to choose an undeveloped corner.

Chairwoman Barrows asked for verification of public notification of the meeting and staff responded it had been done and they had received a number of counter visits and phone calls on this site; primarily from Codorniz property owners.

Ms. Makinson then expanded on the location, and the cost of locating on that particular site. She explained there were existing underground facilities, and available verticality to utilize on that corner.

There being no further public comment, Chairwoman Barrows closed the public hearing portion of the meeting and opened the matter for Commission discussion.

There being no further questions or discussion, it was moved and seconded by Commissioners Alderson/Wilkinson to adopt Resolution 2012-018 recommending approval of Conditional Use Permit 2012-142 as submitted. Unanimously approved.

- E. Conditional Use Permit 2012-143: a request by Crown Castle – Susan Makinson - for consideration of a Conditional Use Permit for a Single Distributed Antenna System (DAS) within the public right-of-way near the intersection of Avenue 50 and Heatherglen.

Assistant Planner Eric Ceja presented the staff report, a copy of which is on file in the Planning Department. He noted there was a correction of the pole location which was on the west side of Heatherglen; not the east side.

Chairwoman Barrows asked if there were any questions of staff.

Commissioners Wright and Wilkinson commented on:

- Comments from neighbors in Painted Cove and the Estancias.
- Aesthetic impacts of pole location.

General discussion followed on:

- Improving the appearance of this cell tower.
- Verticality on Avenue 50 and the inability to locate on IID equipment.
- Camouflaging by landscaping.
- Reduction of the pole height.
- Search for alternate sites.

There being no further questions of staff, Chairwoman Barrows asked if there were any questions of the applicant.

Susan Makinson, representative of Crown Castle, 5350 N. 48th Street, Ste. 308, Chandler, AZ 85226 introduced herself and commented on the difficulties with this site. She then explained what was necessary in locating a specific site. She said the anchor tenant was Metro PCS and they were proposing a multi-tenant network, on one pole, for many providers. She said they did consider a flag pole or alternate sites but were restricted to a specific area. She then explained some of the alternate sites and the problems with each.

General discussion followed on:

- The 22-foot height limitation
- Remaining in the right-of-way
- Future applications
- Equipment cannot be placed on street lights or signals due to risk and liability.
- Preferred sites.

Ms. Makinson explained they recently did a small attachment which would fit on the top of the traffic pole that might work.

Planning Director Johnson suggested the Commission might consider continuing the matter to allow staff to work further with the applicant. He suggested they keep this option in mind after they complete their discussion.

There being no further questions of the applicant, Chairwoman Barrows asked if there was any public comment.

Ms. Grace Palock – on behalf of the Estancias – 50-001 Orchard Lane read comments submitted by their Homeowners Association Board. She pointed out the notice showed the map in the wrong location and asked why it could not be placed in another location as this site was directly behind their homeowners. Their recommendation was the Commission request additional sites be looked at and suggested the Boys and Girls Club, Jefferson Street, or Avenue 50 where there were street lights. The current site would negatively impact their development.

Mr. John Mercer – 79-360 Briarwood said he listened to the applicant talk about what they could do at the roundabout at Avenue 52 and it seemed there were better locations to put this cell tower. He

suggested the lights at the Boys and Girls Club and suggested there were plenty of places with light poles, such as baseball fields, and soccer fields available nearby which could be utilized; especially with today's technology. He said it did not seem that one cell phone company should have priority versus multiple people who are homeowners since there were better alternatives.

Dan Schweizer, Government Relations Counsel for Crown Castle, 2125 Wright Avenue, Suite C-9, LaVerne CA 91750 said he wanted to make sure the Commission understood how the DAS system worked; which he then explained. He clarified why this cell tower could not be put on private property.

General discussion followed on:

- The feasibility of locating the pole on private property
- Crown Castle is considered an infrastructure and they have the right to be in the right-of-way
- The unit is designed to work with a network
- Frequencies

Chairwoman Barrows left the public hearing portion of the meeting open to allow the matter to be continued.

After further discussion, it was moved and seconded by Commissioners Alderson/Wright to continue the Conditional Use Permit 2012-12 to the October 9, 2012 meeting to allow time for the applicant to work with staff on alternate locations, construction and installation. Unanimously approved.

VI. BUSINESS ITEMS

A. None

VII. CORRESPONDENCE AND WRITTEN MATERIAL:

A. None.

VIII. COMMISSIONER ITEMS:

A. Report on the City Council Meeting of August 7, 2012.

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- B. Commissioner Alderson is scheduled to report back on the September 18, 2012, City Council meeting.
- C. Follow-up regarding Conditional Use Permit 2003-075, Amendment 2, Milan Institute Expansion.


IX: DIRECTOR ITEMS:

- A. APA Planning Conference in October.

X. ADJOURNMENT:

There being no further business, it was moved by Commissioners Alderson/Wilkinson to adjourn this regular meeting of the Planning Commission to the next regular meeting to be held on September 25, 2012. This regular meeting was adjourned at 10:09 p.m. on September 11, 2012.

Respectfully submitted,



Carolyn Walker, Executive Secretary
City of La Quinta, California